GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 1.983 Ha of forest land in Nizampatnam RF of Guntur Division for development of the existing Nizampatnam Fishing Harbour, in favour of Commissioner of Fisheries, Andhra Pradesh - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 78 **Dated: 25-07-2018**
Read the following:-

1. From PCCF & HoFF, AP, Lr Rc No. 1303/2004-F1, Dt. 17-05-2008.
2. State Govt. Letter No.3951/FOR.I (1)/2008, Dated: 30-5-2008.
3. From GoI, MoEF& C.C , Lr.No.4-APB507/2008-BAN, dated: 22-06-2010.
4. State Govt. Letter No.3951/Section-II/2008, Dated:5-03-2016.
5. From GoI, MoEF, Lr.No.4-APB507/2008-BAN/0961, dated: 25-06-2018.

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ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh in his letter 1st read above, had submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 1.983 Ha of forest land in Nizampatnam RF of Guntur Division for development of the existing Nizampatnam Fishing Harbour, in favour of Commissioner of Fisheries, Andhra Pradesh and requested to forward the same to Government of India, Ministry of Environment, Forests, & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests, & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests, & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein.

4. Accordingly, the State Government vide letter 4th read above, have furnished the compliance report on the conditions stipulated by the Government of India Ministry of Environment, Forests, & Climate Change, while according in-principle (Stage-I) approval.

5. Government of India, Ministry of Environment, Forests, & Climate Change in their letter 5th read above, have accorded (Stage-II) approval under Section-2 of Forest (Conservation) Act, 1980, for diversion o f 1.983 Ha of forest land in Nizampatnam RF of Guntur Division for development of the existing Nizampatnam Fishing Harbour, in favour of Commissioner of Fisheries, Andhra Pradesh, subject to compliance of certain conditions as stipulated therein.

6. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh for diversion o f 1.983 Ha of forest land in Nizampatnam RF of Guntur Division for development of the existing Nizampatnam Fishing Harbour, in favour of Commissioner of Fisheries, Andhra Pradesh, subject to the following conditions:-

i. The legal status of forest land shall remain unchanged;

ii. The State Forest Department shall carryout Compensatory Afforestation (CA) and its maintenance (for a period of 7 years) over 5.00 Acres of non-forest area identified in Sy No.902 of Nagulavaram Village, Macharla Mandal from the amount which has already been realized from the user agency;

(Contd-2)

iii. Non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The ,Nodal Officer must report compliance within a period of six months from the date of grant of final approval and send a copy of the original notification to this office for information and record;

iv. Additional amount of Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency;

v. Approved CA scheme shall not be changed without the prior approval of the Central Government;

vi. Restoration of degraded mangrove forest area in the Lankavanidibba RF of Guntur District as proposed by the Conservator of Forests, Guntur Circle shall be done as per the plan prepared by the Divisional Forest Officer, WLM, Eluru Division from the amount which has already been realized from the user agency;

vii. The forest land proposed for diversion shall under no circumstances be transferred / sublet to any other agency, department or person without the prior approval of the Central Government;

viii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

ix. Necessary clearance under CRZ Notification, 1981 and its amendments and other statutory clearances, if any, shall be obtained by the user agency;

x. User agency shall ensure that no disturbance is caused to the nearby forest flora & fauna by users ;

xi. The total forest area utilized for the project shall not exceed 1.983 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;

xii. Any other conditions that the Central Government or Addl. PCCF(Central) of Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency;

xiii. In the event of failure to comply with any of the above conditions, the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

7. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.
The Commissioner of Fisheries,
Vijayawada - Gudivada Road, Penamaluru, Andhra Pradesh - 521137
P.S to Hon'ble Minister (EFS&T)
P.S to Principal Secretary to Government, EFS&T Dept.,

// FORWARDED :: BY ORDER //

SECTION OFFICER